

20-mj-807 BRT

STATE OF MINNESOTA

ss. AFFIDAVIT OF SARA R. THOMAS

COUNTY OF RAMSEY

I, Sara R. Thomas being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), and have been so employed since December 2016. I was previously assigned to ATF Atlanta Field Division’s Firearms Trafficking Group, which specialized in criminal investigations related to the movement of firearms from the legal market to the illegal market. Since September 2018, I have been assigned to the ATF St. Paul Field Division, where I am involved in various facets of ATF’s enforcement programs. Before I joined ATF, I served as a sworn law enforcement officer with other agencies and departments, holding this title since 2007.

2. During my time with ATF, I have investigated multiple cases falling within ATF’s Arson and Explosives jurisdiction. I have received a significant amounts of training on the subject-matter over which the ATF holds jurisdiction. This training included four weeks at the ATF National Academy and over four weeks of separate training on ATF’s Arson and Explosives mission. Additionally, I have participated in advanced explosives training at the National Center for Explosives Training Research (NCETR) in Huntsville, Alabama, which focused on improvised explosives devices. I have further attended advanced explosives training at New

Mexico Tech Energetic Materials Research and Training Center, which focused on homemade explosives and various responses to a variety of bombing incidents.

3. The facts in this affidavit are based on my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant, and does not set forth all of my knowledge about this matter.

4. This affidavit is being submitted in support of the criminal complaint for VICTOR DEVON EDWARDS (DOB: XX/XX/1989).¹ Based on my training and experience and the facts set forth in this affidavit, I respectfully submit that there is probable cause to believe that EDWARDS has aided and abetted the commission of arson in violation of 18 U.S.C. § 844(i) (arson) and 18 U.S.C. § 2 (aiding and abetting).

FACTS ESTABLISHING PROBABLE CAUSE

Case History

5. On August 26, 2020, Minneapolis experienced arson, rioting, and vandalism of numerous business. The arson, rioting, and vandalism was, in part, a response to the death by suicide of a suspect in a homicide that occurred at approximately 2:00 p.m. on the same date. When officers approached the suspect at approximately 6:30 p.m., he committed suicide on the 800 block of Nicollet Mall in downtown Minneapolis.

¹ I have partially redacted the dates of birth of person(s) listed herein pursuant to local rules. The full dates of birth are known to me and will be made available to the Court on request.

6. The arson, rioting, and vandalism that followed was concentrated in downtown Minneapolis, particularly in the Nicollet Mall area. One of the businesses set on fire was the Target Headquarters building, located at 1000 Nicollet Mall.

EDWARDS Presence in Downtown Minneapolis Prior to the Target Arson

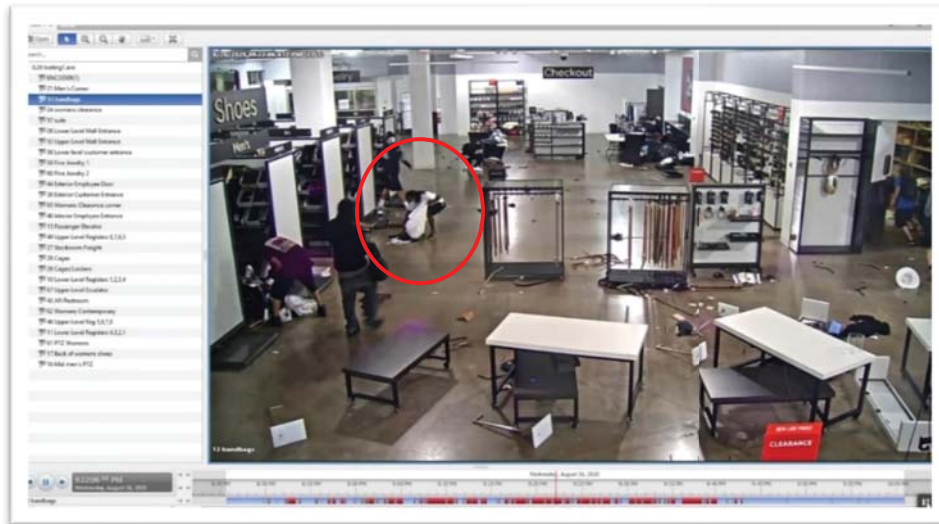
7. Hennepin County Sheriff's Office Criminal Information Analyst Nicole Hughes informed me that Saks Fifth Avenue, located at 600 Nicollet Mall, was broken into on August 26, 2020, and was heavily vandalized and looted. Twitter video from "Courtney Godfrey, Fox 9 - Twitter" recorded on August 26, 2020, showed EDWARDS and others standing outside of Saks Fifth Avenue while the store was being looted. EDWARDS was wearing a dark colored shirt with a white design, a dark colored hat with a unique logo, and dark shorts. The video was timestamped 9:24 p.m. See <https://twitter.com/courtneygodfrey/media?lang=en>.



8. While EDWARDS was waiting outside the Saks Fifth Avenue store, an individual later identified as Shador Tommie Cortez Jackson² was inside stealing

² I arrested Jackson for committing Arson pursuant to a federal complaint on September 10, 2020. (See Docket No. 20-mj-681 (TNL)).

merchandise from the store. The store surveillance footage showing Jackson looting the store was timestamped 9:21 p.m. Following the looting, Jackson fled the store.



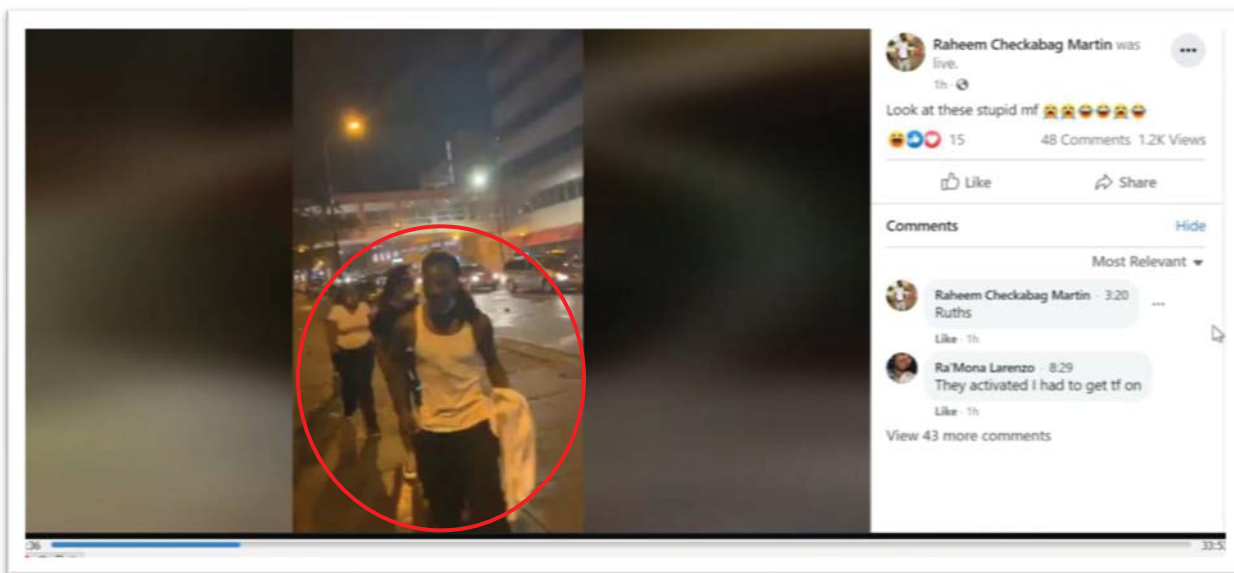
9. Analyst Hughes also provided me with a Facebook video related to this investigation of EDWARDS. The video shows the individuals that I identified as EDWARDS and Jackson in downtown Minneapolis on August 26, 2020, at approximately 10:40 p.m., shortly before the arson that occurred at the Target Headquarters building a few blocks away.

10. The video was posted by Facebook user “Raheem Checkabag Martin,” and streamed live on August 26, 2020, starting at 10:33 p.m. The user name “Raheem Checkabag Martin” was identified as Dearlo Martin. The associated link to the video was <https://www.facebook.com/dearlo.martin/videos/3341123979281513>. Analyst Hughes recorded the video as it was streamed live.

11. The beginning of the Facebook live video was timestamped 10:33 p.m., and filmed by Martin while he was standing at the intersection of 10th Street and 2nd Avenue in downtown Minneapolis. Martin was standing across from the

Ruth's Chris Steak House, 920 2nd Avenue South, as the restaurant was being looted. Martin commented that numerous people had broken into the restaurant and were stealing items. Martin then commented, "they gonna start blowing that bitch down." Two loud noises were heard. Martin stated, "they just shot some shit. That's 12."³

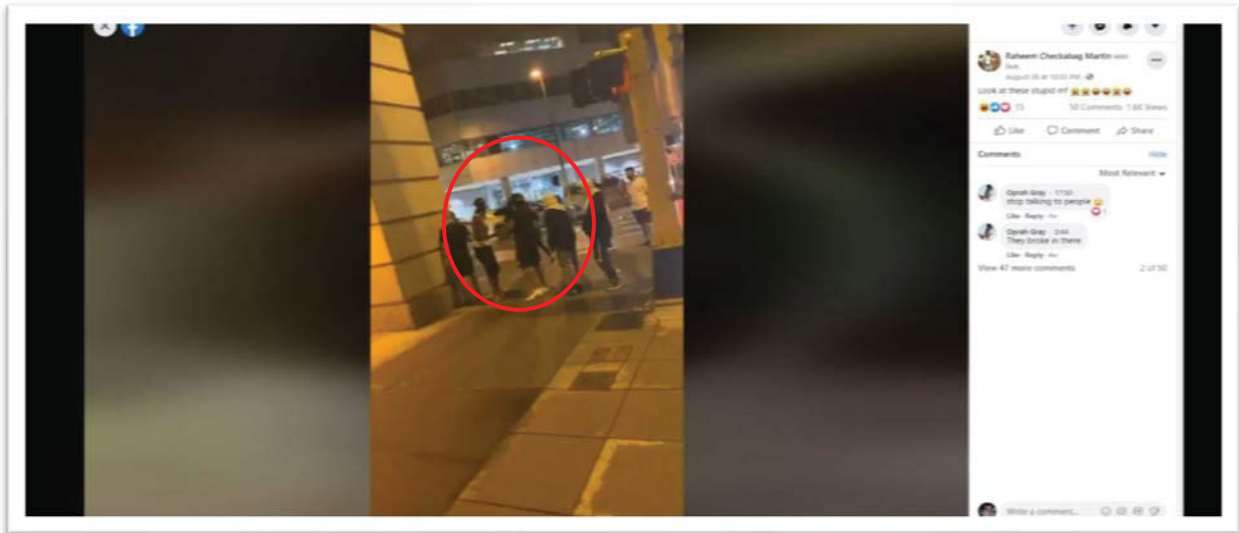
12. At five minutes and forty-seven seconds into the video, at approximately 10:39 p.m. based on the timestamp, a group of unidentified individuals ran towards the camera. Several individuals had liquor or wine bottles. An unidentified black female wearing a red sweatshirt was limping and two unidentified individuals helped her across 10th Street. EDWARDS and Jackson walked closely behind the female.



13. Once the group crossed 10th Street, they hid around the corner of a building at the intersection of 2nd Avenue. EDWARDS was standing next to Jackson, looking towards the street. Martin said, "She got hit with a rubber bullet."

³ Based on my training and experience, I understand "12" to refer to law enforcement.

14. EDWARDS and Jackson then walked to the corner of the building and looked west on 10th Street, towards the direction of law enforcement. EDWARDS and Jackson appeared to be angry while speaking with each other.



15. After speaking with EDWARDS, Jackson yelled, “Who got a bottle? They coming. Give me a bottle! Give me a bottle!” An unidentified individual handed Jackson a glass bottle. Liquid splashed out of the bottle.

16. Martin said, “He [Jackson] goin’ crazy. He about to throw a bottle at the n---. At the police!” The crowd started yelling, “12. Get out!” Martin then ran away from Jackson, and bottles were heard shattering. Several loud noises were heard, and then Martin stated, “they shooting them bitches.” Martin indicated that law enforcement was using less-than-lethal methods to control the crowd. Martin then stated that law enforcement had saturated the area.

17. EDWARDS, Jackson, and other members of the group fled, running south on 2nd Avenue. Martin continued to record in the area and did not follow them.

The Target Headquarters Arson

18. At approximately 10:55 p.m., approximately three blocks away, Target surveillance video showed Jackson use a “Sidewalk Closed” construction sign to break through one of the glass doors into the Target Headquarters building. The door was located on 10th Street South between LaSalle Avenue and Nicollet Mall. A second unidentified individual broke into the second door, allowing access into the building. EDWARDS and other individuals then followed Jackson into the building.

19. Target surveillance video, taken from inside the store, then showed Jackson place a white article of clothing around his head. Once inside, EDWARDS spoke with Jackson while standing directly next to him inside the store.



20. Target surveillance video showed that both EDWARDS and Jackson then went through a second door and together entered into the Target Headquarters mailroom.

21. Jackson set a fire on a counter inside of the mailroom at approximately 10:57 p.m.



22. As Jackson set the fire, EDWARDS walked towards him from a few feet away.



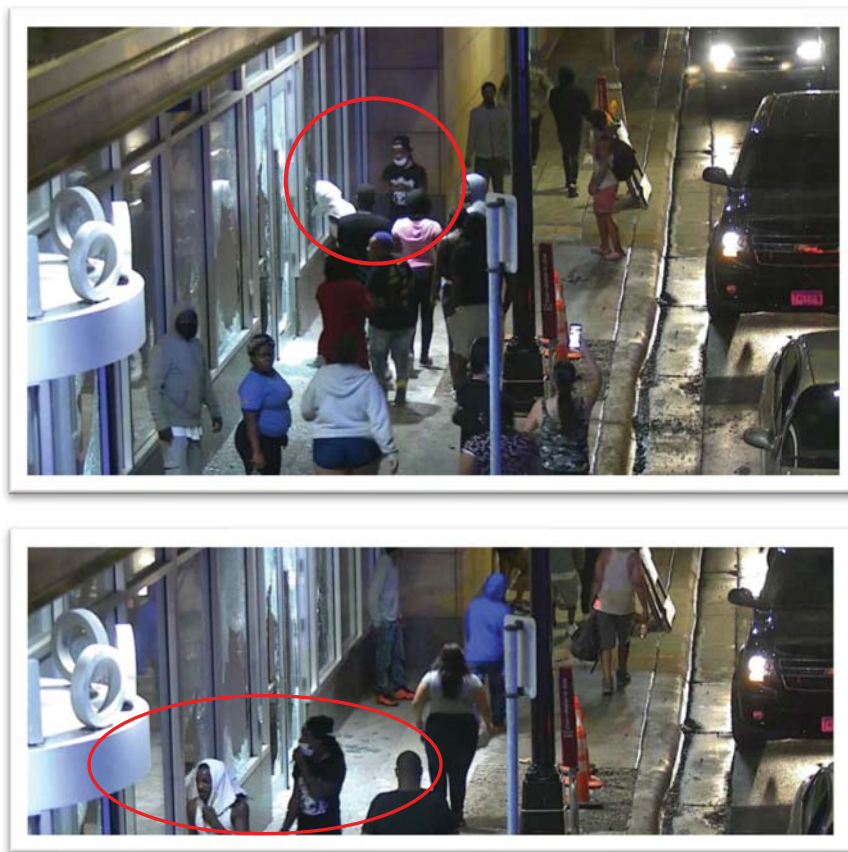
23. At 11:57:58 p.m., Jackson attempted to light a second fire on top of cardboard boxes. Jackson had a lighter in his right hand and a bottle of ignitable liquid in his left hand.



24. On October 27, 2020, I, together with ATF Special Agent Certified Fire Investigator (SACFI) Nicole Hajny, reviewed video surveillance provided by Target Headquarters Security. The video surveillance contained footage from multiple camera angles on the interior and exterior of Target Headquarters. The footage shows that at 10:58:34 p.m., EDWARDS exited the loading dock and walked over to the first fire set by Jackson. At 10:58:56 p.m., EDWARDS appeared to hold a container above the flame with his left hand. The container was tilted in a diagonal manner, consistent with a pouring or squirting motion. After EDWARDS' movement with his left hand towards the fire, the video shows the fire appear to grow in both size and intensity. As EDWARDS walked away from the fire, his hat, shirt, and mask were illuminated by the fire.

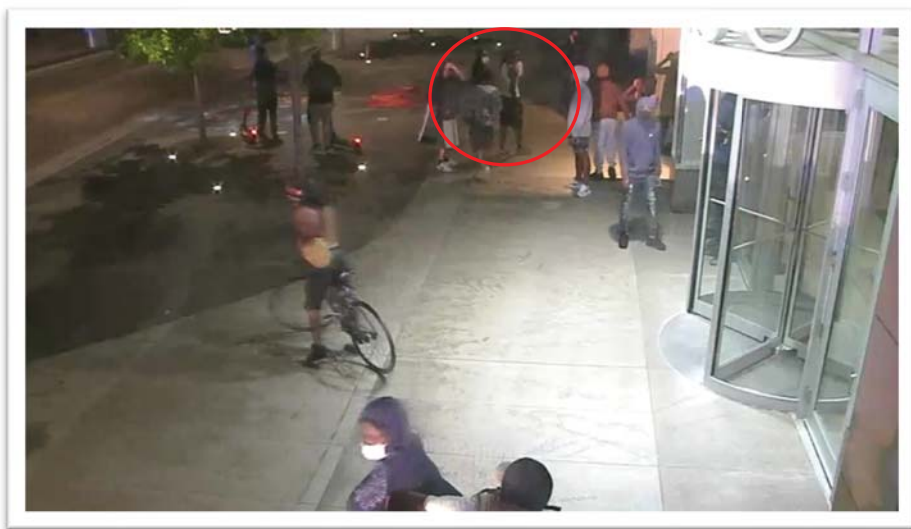
25. At approximately 11:02 p.m., Target surveillance video showed EDWARDS and Jackson run out of the building together, using the same door, and head southeast on 10th Street toward Nicollet Mall.

26. At approximately 11:02 p.m., Minneapolis city surveillance video showed EDWARDS and Jackson walking southeast on 10th Street toward the 1000 block of Nicollet Mall. EDWARDS and Jackson stopped and looked into the main Target entrance door located at 1000 Nicollet Mall, in the direction of the fire, multiple times. EDWARDS and Jackson then continued walking southeast on 10th Street toward Nicollet Mall.



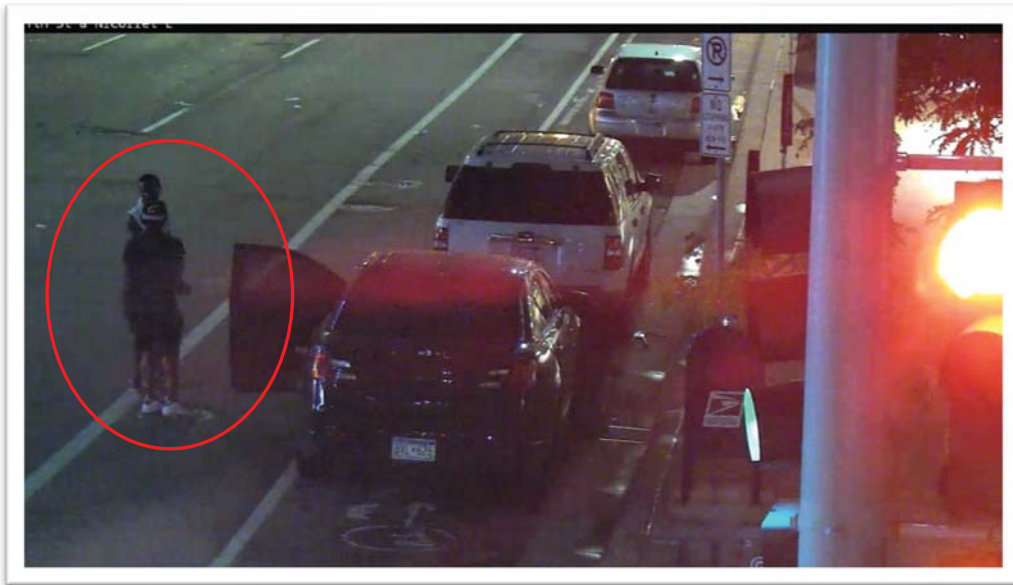
27. At 11:04 p.m., EDWARDS and Jackson walked south on Nicollet Mall, next to the Target Headquarters' building. They looked into the Target Headquarters building again, toward the location of the fire, and continued walking south on Nicollet Mall.

28. EDWARDS and Jackson were seen several more times over the next three minutes walking together past the Target headquarters' building doors. They repeatedly looked at the building, towards the direction of the fire.



29. At approximately 11:29 p.m., city surveillance cameras showed EDWARDS and Jackson near the intersection of 11th Street South and Nicollet Mall. Jackson was seen next to a white Ford Explorer with Minnesota license plate number ERG561. City surveillance cameras then showed EDWARDS exit the

driver's side of a black Ford Taurus, bearing the Minnesota license plate number BLV626, which was parked directly behind the Explorer. EDWARDS and Jackson talked in the street, and then Jackson pointed an object towards the Ford Explorer. The lights of the Explorer flashed in the way that vehicle lights flash when a keyless entry remote is used to unlock a vehicle. Jackson then opened the Explorer's driver's door, reached into the Explorer, got out of the Explorer, and used the keyless entry remote (signified by the same flashing of the vehicle's lights) to lock the Explorer. EDWARDS returned to the Ford Taurus and got into the driver's seat. Jackson then entered the Ford Taurus with EDWARDS, and together they drove away in the vehicle.



The Identification of EDWARDS

30. I queried Minnesota license plate number BLV626—the license number associated with the black Ford Taurus that EDWARDS and Jackson were seen driving away in on the evening of the Target Headquarters arson—through law

enforcement databases and determined that was the license plate number was registered to Community Invested Rental Cars in Minneapolis.

31. On September 21, 2020, ATF Special Agents Dave Voth and Bryan Lervoog interviewed the owner of Community Invested Rental Cars. The owner indicated that the Ford Taurus bearing the Minnesota license plate number BLV626 was rented by Dernesha Holliday for her boyfriend, EDWARDS. The owner stated that EDWARDS had been using the vehicle since July 2020, and that EDWARDS was still actively making payments using a phone application called “Cash App.” The owner stated that the driver of the vehicle’s Cash App name was “Victor” (EDWARDS’ first name) and the user name was “\$BigGeneral7414.”

32. Also on September 21, 2020, Analyst Hughes queried the Minnesota Crime Information System (MNCIS) / Odyssey Assistant and determined that the Brooklyn Park Police Department conducted a traffic stop on a black 2015 Ford Taurus bearing the Minnesota license plate BVL626 on July 9, 2020, at 10:58 p.m. The driver of the vehicle was EDWARDS. EDWARDS was arrested for providing a false name to law enforcement (Minn. Stat. § 609.506.1) and for driving on a suspended license (Minn. Stat. § 171.24.5). I obtained a copy of Incident Report number 2020-00028530 associated with the traffic stop.

33. Analyst Hughes obtained a photograph of EDWARDS from Hennepin County Repository of Arrest Photos. According to the booking photograph, EDWARDS was 5’06” and weighed 135 lbs. The photograph and booking information

are consistent with the profile of EDWARDS as captured in surveillance through this investigation.



34. Analyst Hughes queried the Hennepin County Jail Management System and determined that Dernesha Holliday was listed as a friend on EDWARDS' jail contact list.

35. Analyst Hughes queried Minneapolis Police Department PIMS records related to EDWARDS. EDWARDS listed Jackson as a sibling. Minneapolis Police Department records additionally identified Dernesha Holliday as EDWARDS' girlfriend.

Social Media Posts Corroborating EDWARDS' Identification

36. I am aware from my investigations into crimes committed during the riots that followed the death of George Floyd in late May 2020 and the suicide of the homicide suspect in August 2020 that numerous people both recorded and live-streamed videos of themselves committing criminal acts and posted those videos

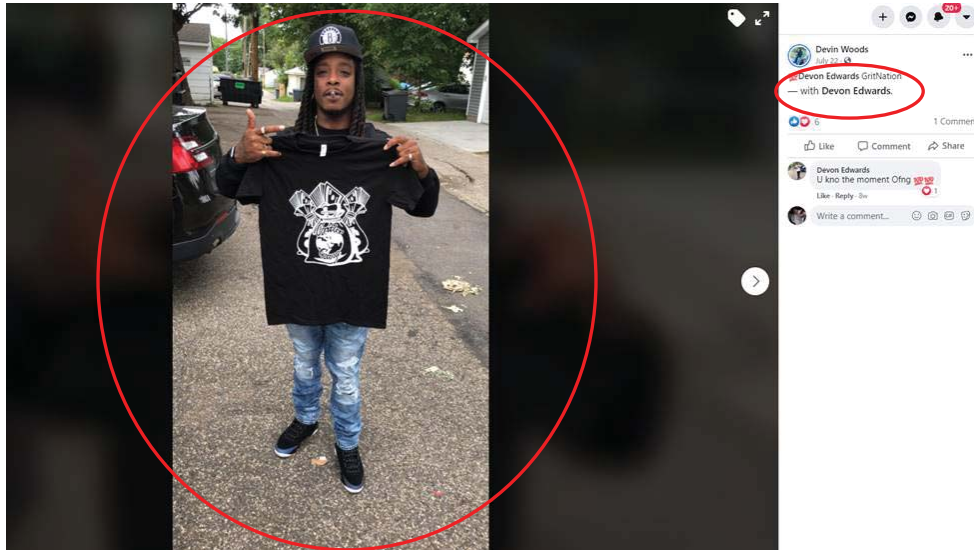
to social media platforms, including Facebook. Additionally, many people commented and shared information about their criminal acts with other users. Beyond strictly social posts, Facebook also was a frequently used platform in which individuals participating in these riots showed off their destructive actions to associates and other like-minded individuals. Facebook served as a means for people to communicate with others while the riots were in progress to discuss where and how law enforcement resources were deployed so as to be avoided or targeted, the status of the protests, other businesses in both Minneapolis and St. Paul that could be targeted for looting or fires, as well as the status of buildings that had already been set on fire.

37. In addition to the sharing of media and comments, social media platforms served as a platform for communication for participants in the riots. Based on my training and experience, I know that Facebook users often use the Facebook messaging feature and video calling function to communicate with other associates. Some users utilize these features to communicate before and during criminal activity because they believe they are more secure than text messages or phone calls.

38. Based on my training and experience, I know that users often communicate spur of the moment thoughts on social media platforms such as Facebook that can provide insight into an individual's mindset and frame of mind at a particular moment in time.

39. Analyst Hughes conducted a search of social media and located a Facebook profile for EDWARDS at <https://www.facebook.com/devon.edwards.9235>. The name associated with the account was "Devon Edwards."

40. Analyst Hughes located a picture of EDWARDS holding a black t-shirt with a white logo, posted by Facebook user “Devin Woods” on July 22, 2020, as shown below. The Facebook post noted “with Devon Edwards” in the posting description.

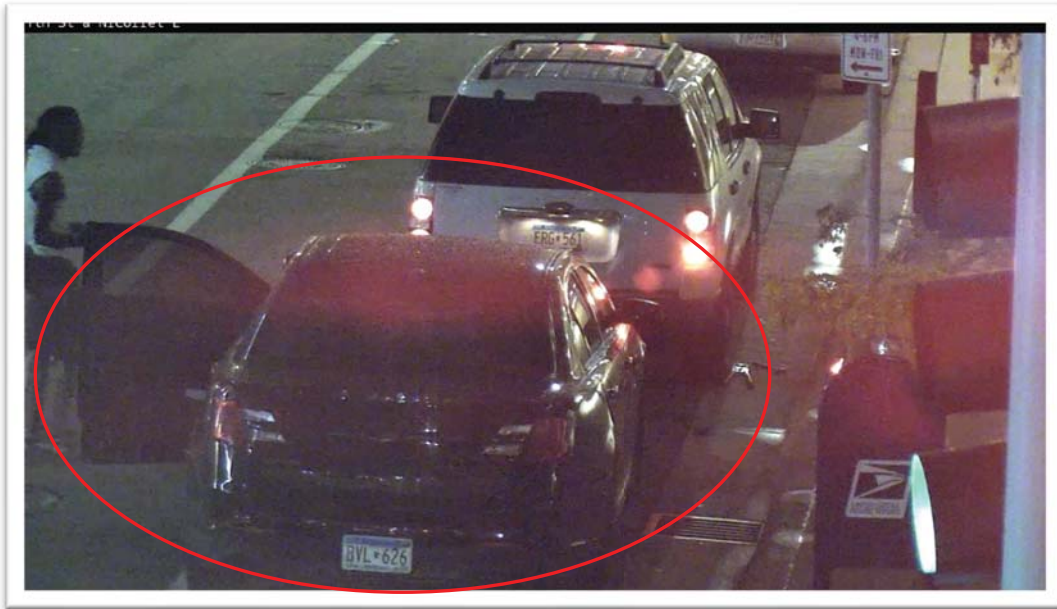


41. The shirt in the above photograph appears visually identical to the distinctive shirt worn by EDWARDS a month later on the night of the arson, August 26, 2020, as shown below.



42. The Facebook picture above also showed a portion of a black vehicle. The black vehicle was visually consistent with the black 2015 Ford Taurus that

EDWARDS was using based on a rental from Community Invested Rental Cars, that was seen on city video camera surveillance on the night of the arson, as shown below:



43. I also reviewed EDWARDS' Facebook account and located a photograph posted by EDWARDS on August 18, 2020. The picture shows EDWARDS wearing a hat with a unique logo, visually similar to the hat worn by EDWARDS on the night of the arson on August 26, 2020, as shown in the below pictures.

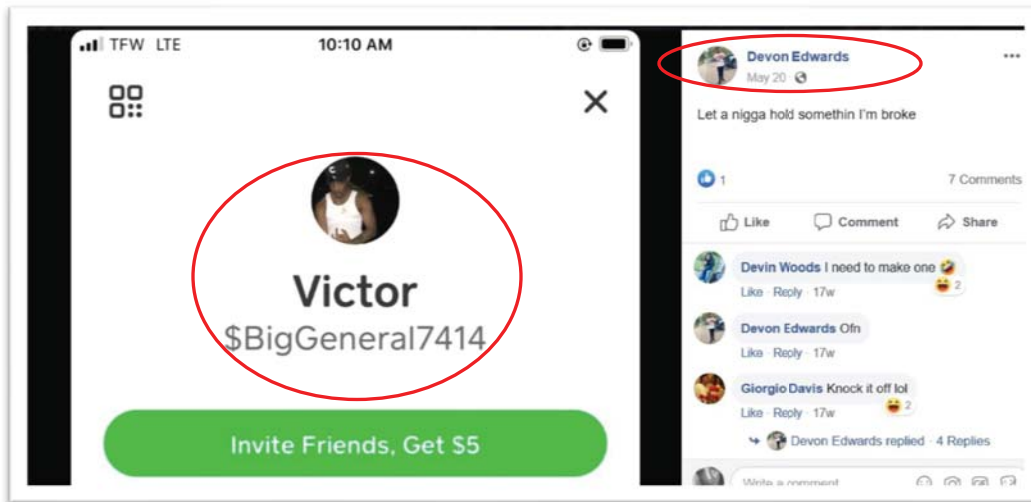




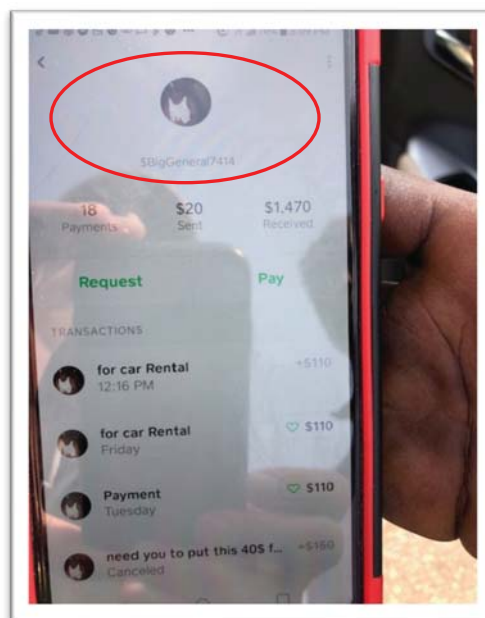
44. I located a photograph posted by EDWARDS on June 12, 2020, of himself standing in front of a vehicle. The vehicle was visually consistent with the black 2015 Ford Taurus that EDWARDS was using based on a rental from Community Invested Rental Cars, that was seen on city video camera surveillance on the night of the arson on August 26, 2020. The vehicle was also identical in make, model, year, and color.



45. I located a photograph posted by EDWARDS on May 20, 2020. The photograph depicted a Cash App profile account with the name "Victor" and user name "\$BigGeneral7414," as shown in the below photograph:



46. The profile account matched the Cash App account of the individual paying for the 2015 Ford Taurus (Minnesota license plate number BVL626) rented from Community Invested Rental Cars that was used on the night of the arson:



The Arson Determination by the Minneapolis Fire Department

47. On August 27, 2020, ATF Special Agent Certified Fire Investigator (SACFI) Nicole Hajny and Minneapolis Fire Department Investigator Larry Oker examined the fire scene located at 1000 Nicollet Mall. At the time of the initial fire scene examination, Investigator Oker identified a single area of origin as the center of a desktop near the mailroom entrance:



This is the location at which Jackson was seen on Target surveillance video starting a fire and where EDWARDS was observed adding additional fuel to the fire, suspected to be an ignitable liquid, which caused the fire to grow in size and intensity. Investigator Oker additionally noted forced entry and numerous broken windows to the structure that occurred during the civil unrest around the time of the fire. Investigator Oker classified the fire as “incendiary” (i.e. arson).

48. Following subsequent review of the Target surveillance video footage, investigators identified a second area of origin of fire inside the building. After reviewing the surveillance video, investigators determined that a third individual attempted to set a second fire inside the building front entrance vestibule area. The

second fire is still under investigation but likely did not involve EDWARDS or Jackson.

49. Initial estimates put the fire, smoke, and water damage to the building at approximately \$900,000.

The Target Headquarters Building and Interstate Nexus

50. Target Corporation is a large corporation with its corporate headquarters in Minneapolis, Minnesota. Target has numerous retail outlets throughout the United States. Target sources some of its inventory from outside the United States, including Guatemala, China, and India.

51. Target corporate headquarters is located in two adjacent buildings, Target Plaza South and Target Plaza North. The buildings are connected via skyway. The buildings cover two city blocks, and extend to the area of 10th Avenue South and LaSalle Avenue. A Target retail store is located one block away on 9th Avenue, which also can be reached via skyway. That retail store was looted during the civil unrest described above.

52. The mailroom, where the fire started, receives a high volume of mail and merchandise samples from vendors. These samples are provided to employees, housed in Target Headquarters, for evaluation to determine whether those items will be sold in Target retail stores.

53. Furthermore, Target stock is traded on major U.S. stock exchanges. In short, Target Headquarters in Minneapolis is a building used in interstate and foreign commerce and in activities affecting interstate and foreign commerce.


Jackson's Arrest and Federal Complaint

54. Jackson was arrested and charged with Arson by federal complaint on September 10, 2020. *See United States v. Jackson*, 20-mj-681 (TNL). Jackson was ordered detained pending trial following a detention hearing on September 16, 2020. On October 6, 2020, and November 2, 2020, the Court granted a continuance to allow the parties to negotiate a plea resolution. (*See* Docket Nos. 15 & 17.) Since Jackson's arrest, I have continued the investigation and believe that EDWARDS aided and abetted Jackson in the arson at Target Headquarters.

CONCLUSION

55. Based on these facts, I believe there is probable cause that EDWARDS has violated Title 18, United States Code, Sections 2 and 844(i), in that he aided and abetted Jackson in maliciously damaging by means of fire the Target Headquarters building located at 1000 Nicollet Mall, Minneapolis, Minnesota, a building used in interstate commerce.

Further Your Affiant Sayeth Not.


Sara R. Thomas
ATF Special Agent

SUBSCRIBED and SWORN to before me by reliable electronic means (FaceTime and email) pursuant to Fed. R. Crim. P. 41(d)(3) on this 4th day of November, 2020.


The Honorable Becky R. Thorson
United States Magistrate Judge